

From: [Miller, Garyg](#)
To: [Werner, Robert](#)
Cc: [Foster, Anne](#); [Salinas, Amy](#); [Sanchez, Carlos](#)
Subject: RE: San Jacinto River Waste Pits (06ZQ) -- Question Concerning Current Annual Financial Assurance Information from International Paper Company, Inc. for the SJWP RI/FS
Date: Wednesday, July 24, 2013 1:00:22 PM

Thanks Bob – I just discussed the financial assurance with David Keith & he will check into it; I will let you know the result.

Regards,

Gary Miller
EPA Remedial Project Manager
214-665-8318
miller.garyg@epa.gov

From: Werner, Robert
Sent: Wednesday, July 24, 2013 12:25 PM
To: Miller, Garyg
Cc: Foster, Anne; Salinas, Amy
Subject: San Jacinto River Waste Pits (06ZQ) -- Question Concerning Current Annual Financial Assurance Information from International Paper Company, Inc. for the SJWP RI/FS

Gary,

FYI, attached is copy of MIMC's current annual financial assurance bond for the RI/FS at the Site. Also FYI, attached is a copy of the latest financial assurance information that International Paper Company, Inc. (IPC) has provide to the EPA for the already completed TCRA at the Site.

I've not been able to locate a copy of IPC's current annual financial assurance information for the RI/FS. Unless IPC has already submitted this information to the EPA, please call your contact person with IPC and ask for this information.

Following is an extract from the UAO (effective 11/20/2009) for the RI/FS at the SJWP site:

XXIII. ASSURANCE OF ABILITY TO COMPLETE WORK

93. Respondents shall demonstrate their ability to complete the Work required by this Order

and to pay all claims that arise from the performance of the Work by obtaining and presenting to EPA within ninety (90) days of the EFFECTIVE DATE of this Order, one of the following; (1) a performance bond; (2) a letter of credit; (3) a guarantee by a third party; or (4) internal financial information to allow EPA to determine that Respondents have sufficient assets available to perform the Work. Respondents shall demonstrate financial assurance in an amount no less than the estimate of cost for the RI/FS for the Site. **If Respondents seek to demonstrate ability to complete the RI/FS by means of internal financial information, or by a guarantee of a third party, they shall resubmit such information annually, on the anniversary of the EFFECTIVE DATE of this Order.** If EPA determines that such financial information is inadequate. Respondents shall, within thirty (30) days after receipt of EPA's notice of determination, obtain and present to EPA



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for approval additional financial assurances consistent with this paragraph.